

CR 54. JUDGMENT

(a) through (c) Reserved.

(d) Costs.

(1) *Motion for Costs.* The party in whose favor a judgment is rendered, and who seeks to recover costs, shall, within twenty days after the entry of judgment, file and serve a motion for costs and necessary disbursements. The motion for costs shall be noted for consideration pursuant to CR 7(d)(2). All costs shall be specified, so that the nature of the charge can be readily understood. The movant shall verify by the oath of the party or an agent having knowledge of the facts that such costs and disbursements have been necessarily incurred in the action.

If the party in whose favor judgment is rendered fails to file a motion for costs, all costs, other than statutory costs, shall be deemed to be waived.

(2) *Additional Briefing.* A party objecting to any item of costs shall file opposition papers at the time set forth in CR 7(d)(2). The moving party shall file a reply, if any, at the time set forth in CR 7(d)(2).

(3) *Taxation by Clerk.* Motions for costs shall be considered by the clerk of the court. All motions for costs will be decided by the clerk on the pleadings and without oral argument unless the clerk specifically directs the parties to appear for a hearing. The clerk shall allow such items specified in the motion which are properly chargeable as costs.

In taxing costs, the following rules shall be observed:

(A) The attendance, travel, and subsistence fees of witnesses, for actual and proper attendance, shall be allowed in accordance with 28 U.S.C. § 1821, whether such attendance was procured by subpoena or was voluntary;

(B) Reasonable premiums paid on undertakings or bonds or security stipulations shall be allowed where the same have been furnished by reason of express requirement of law, rule, or court order;

(C) Expenditures incident to the litigation which were ordered by the court as essential to a proper consideration of the case shall be allowed.;

(D) All other costs shall be taxed in accordance with 28 U.S.C. §§ 1920, 1921, 1923, 1927, and 2412.

(4) *Appeal.* The taxation of costs by the clerk shall be final, unless modified on appeal to the district court judge or magistrate judge to whom the case was assigned. An appeal may be taken by filing a motion to retax which shall be filed and served within ten days

after costs have been taxed and which shall specify the ruling(s) of the clerk to which the party objects. The motion to retax shall be noted for consideration pursuant to CR 7(d)(2).

[Effective May 1, 1992; amended effective September 30, 1994; July 1, 1997; January 1, 2002.]